

- (c) bear or are accompanied by labeling containing any false or misleading representations or suggestions;
- (d) bear or are accompanied by labeling containing inadequate directions for the use of said articles in the treatment and prevention of cancer; or
- (e) fail to bear or be accompanied by labeling containing the name of the disease or condition for which said articles are intended to be used, namely, cancer.

"3. That the defendants, their agents, servants, employees, representatives, and all persons in active concert or participation with them or any of them shall discontinue immediately all distribution of the so-called Hoxsey cancer treatment, and shall notify immediately all persons shown by the defendants' files to have purchased the treatment since May 1, 1957, as well as all new patients coming to the said Clinic for treatment

- (a) that the distribution of the treatment has been enjoined by order of this Court;
- (b) that the treatment no longer may be obtained at the Taylor Clinic; and
- (c) that the defendants will be in criminal contempt of this Court by delivering said treatment to any person at the said Clinic or elsewhere.

"4. That the defendants are prohibited from using or distributing the so-called Hoxsey cancer treatment under the guise of practicing medicine or osteopathy since the use of that treatment is no part of the practice of medicine or osteopathy.

"5. That the defendants shall provide free access to the said Clinic, and to all the drugs, labeling, promotional material, patient correspondence, and all other records therein, in order that the inspectors of the Food and Drug Administration may determine that the prohibitions and requirements of this decree are being fully observed.

"6. That jurisdiction of this Court is retained for the purpose of enforcing or modifying this decree and for the purpose of granting such additional relief as may hereinafter appear necessary or appropriate.

"7. That this decree shall not be construed as an admission by the defendants that they have been guilty of the wrongful acts as alleged in the complaint filed by Plaintiff."

**6318. Reviv-A-Tone and Thermal Heat Massage device.** (F.D.C. No. 44586. S. No. 11-576 R.)

**QUANTITY:** 10 devices at Chicago, Ill.

**SHIPPED:** 5-8-60, from Allen Park, Mich., by Hel-Mac Distributing Co.

**LABEL IN PART:** "Reviv-A-Tone Health Unit."

**ACCOMPANYING LABELING:** Leaflets entitled "Reviv-A-Tone and Thermal Heat."

**RESULTS OF INVESTIGATION:** The article was a semi-rigid, pillow type, electric vibrator device. In addition to the vibrating motor, the device contained an electric heating element.

**LIBELED:** 5-19-60, N. Dist. Ill.

**CHARGE:** 502(a)—when shipped and while held for sale, the labeling which accompanied the article contained false and misleading representations and suggestions that the article was an adequate and effective treatment for relieving periodic cramps; lower backaches; and nervous tension; spot reducing and aiding circulation; reducing hips, thighs, and flabby muscles in the abdominal region; and 502(f) (1)—its labeling failed to bear adequate directions for use in the treatment of migraine headaches, nervous tension, bursitis, arthritis, varicose veins, rheumatism, hardening of the arteries, ulcers, and chest colds, which were the conditions for which the article was orally offered by Mr. John M. McFarland, a representative of the Hel-Mac Distributing Co.

**DISPOSITION:** 7-27-60. Default—delivered to Food and Drug Administration.